

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Mark Jones v Department of Corrections**

Docket No. **259772**

L.C. No. **92-012935**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The complaint for a writ of habeas corpus is DISMISSED for lack of jurisdiction. First and foremost, plaintiff failed to seek a writ of habeas corpus from the circuit court for the county in which he is incarcerated before seeking relief in this Court. MCR 3.303(A)(2). Second and just as important, plaintiff is attempting to improperly use the complaint for a writ of habeas corpus as a substitute for an appeal. *Cross v Dep't of Corrections*, 103 Mich App 409, 414-415; 303 NW2d 218 (1981).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR - 4 2005

Date

Sandra Schultz Mengel
Chief Clerk